

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

20-MJ-1010

BRANDON KIDDER,

Defendant.

MOTION TO ADJOURN STATUS CONFERENCE
AND EXCLUDE TIME

THE UNITED STATES OF AMERICA, by and through its attorney, James P. Kennedy, Jr., United States Attorney for the Western District of New York, Caitlin M. Higgins, Assistant United States Attorney, of counsel, hereby requests, with defense counsel's consent, and for the reasons set forth in the attached declaration, an adjournment of the May 21, 2020 status conference.

DATED: Buffalo, New York, May 20, 2020.

JAMES P. KENNEDY, JR.
United States Attorney

BY: /S/ CAITLIN M. HIGGINS

CAITLIN M. HIGGINS
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Defendant.

DECLARATION

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

CAITLIN M. HIGGINS, being duly sworn, deposes and states:

1. I am an Assistant United States Attorney for the Western District of New York assigned to the prosecution of the above-referenced case. This declaration is submitted in support of the government's motion for an adjournment of the May 21, 2020 status conference.

2. On April 27, 2020, the defendant filed a motion for release due to COVID-19. *See* Docket No.14. On May 14, 2020, defense counsel indicated that he had voluminous pages of medical records he wished to file under seal. Specifically, on May 19, 2020, defense counsel stated that he had 400 pages of records he wished to file under seal.

3. Because the defendant did not include or reference any medical records in support of his motion, the government requested additional time to review the records.

4. Your affiant has spoken with Michael Zosh, Esq., counsel for defendant, and he consents to the government's request for an adjournment. The parties request that the Court reschedule the status conference for a date and time convenient to the Court during the week of June 8, 2020.

5. The parties agree that time should be excluded as being in the interest of justice and not contrary to the interests of the public and the defendant in a speedy trial pursuant to Title 18, United States Code, Section(s) 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

/S/ CAITLIN M. HIGGINS
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